

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE:	:
	: 22 Md. 3028 (PAE)
<i>ONE APUS CONTAINER SHIP INCIDENT ON</i>	:
NOVEMBER 30, 2020	: <u>ORDER No. 6</u>
	:
<i>This Document Relates to All Actions</i>	:
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PAUL A. ENGELMAYER, District Judge:

The Court today held a status conference in this case. For the reasons set out during that conference, and, in particular, in the interest of efficiently and promptly facilitating settlements of matters within the scope of this MDL, the Court ordered the following:

- For all actions that are part of this MDL, including those claims in Schedule C of the Settlement Agreement and those claims which are currently excluded from the settlement, the pause in litigation activity, *i.e.*, formal discovery and motions, is hereby extended to May 6, 2025. The Court's intention is to issue a fuller order to this effect upon submission of agreed-upon language by counsel.
- Counsel are to continue to file joint status letters each month. The next such letter is due March 5, 2025. Ensuing letters are due every 30 days thereafter.
- In addition to the matters covered to date in the joint status letters, counsel henceforth are to detail there the circumstances of any action within this MDL in which counsel have been unsuccessful in seeking documents or information (whether from a party or a nonparty) necessary to facilitate the settlement of a claim. Counsel are further to propose an appropriate order, or other mechanism, by which the Court can secure prompt production of such documents or disclosure

of such information, and a proposed schedule for the action(s) proposed. The order should identify the civil action number at issue.

- In addition, in the joint status letters, counsel henceforth are to identify any action in which there is an unresolved legal dispute, such as a dispute bearing on available damages under the Carriage of Goods by Sea Act (COGSA), whose resolution by the Court is believed necessary to enable meaningful settlement discussions. The letters should identify the civil action at issue, summarize the dispute, propose an appropriate means by which the Court can resolve the issue (e.g., via a summary judgment motion based on stipulated facts), and a schedule for so doing.

SO ORDERED.



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Paul A. Engelmayer  
United States District Judge

Dated: February 5, 2025  
New York, New York